

Patrick E. Fitzmaurice (PF 8648)

SNR Denton US LLP

1221 Avenue of the Americas

New York, NY 10020

Tel: 212.768.6700

Fax: 212.768.6800

Attorney for Defendants and Third-Party Plaintiff

Mark C. Nelson

SNR Denton US LLP

2000 McKinney Avenue, Suite 1900

Dallas, Texas 75201-1858

Tel: 214.259.0901

Fax: 214.259.0910

Attorney Pro Hac Vice for Defendants and Third-Party Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
AUTOMATED TRANSACTIONS LLC,	:	
	:	
Plaintiff,	:	09-CV-09669 (SHS)
	:	
v.	:	
	:	
ASTORIA FINANCIAL CORPORATION and,	:	
ASTORIA FEDERAL SAVINGS AND LOAN	:	
ASSOCIATION,	:	
	:	
Defendant.	:	
-----	X	

**DECLARATION OF JOHN J. CAREY IN SUPPORT OF ASTORIA FEDERAL
SAVINGS AND LOAN'S OPPOSITION TO PLAINTIFF'S MOTION
FOR LEAVE TO SERVE AND FILE AMENDED COMPLAINT**

I, John J. Carey, declare:

1. I am the Senior Manager of Networking and Operations Center Management for Astoria Federal Savings and Loan ("Astoria"). I submit this Declaration in support of Astoria's Opposition to Plaintiff's Motion for Leave to Serve and File Amended Complaint.

2. I am over the age of twenty-one (21) and, unless stated otherwise, I have personal knowledge of the facts set forth herein and, if called to testify as a witness, could and would competently do so under oath.

3. All Astoria ATMs are restricted by an Access Control List ("ACL") that limits the IP addresses with which the ATMs can communicate. The ACL prohibits the routing of ATM communications outside of the private network. More specifically, Astoria configures its ACLs to limit each ATM to communicate solely over a private network with the Fidelity National Information Services ("FIS") Router.

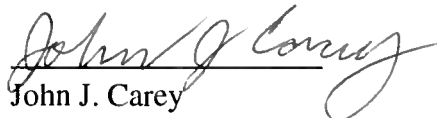
4. Routers located at Astoria's Lake Success, NY facility have firewalls that prevent the routers from routing ATM communications to the Internet. The firewalls ensure that the routers can only route requests to the FIS Router. From the FIS Router, the request is routed to FIS, where the request may be further processed. Ultimately, the result is then routed back to the ATM over the private network through the same process in reverse.

5. The network structure, and in particular the firewall and ACL list, prevents the ATM from having access to the Internet. The network structure also prevents anyone from pushing information to an Astoria ATM from the Internet.

6. In sum, no one can access the Internet from an Astoria ATM and no one can access an Astoria ATM from the Internet.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 1st day of June, 2012, in Lake Success, NY.


John J. Carey